## BANNER & WITCOFF RECEIVED CENTRAL FAX CENTER

MAR 3 0 2005



10 SOUTH WACKER DRIVE, SUITE 3000 CHICAGO, ILL NOIS 6061)6

TEL: 312.463.5000 FAX: 312.463.5001

www.bannerwitcoff com

FACSIMILE TRANSMITTAL SHEET				
TO:	FROM:			
MAIL STOP RCE	Kenneth F. Smolik			
COMPANY:	DATE:			
USPTO	03/30/2005			
FAX NO.:	TOTAL NO. OF PAGES: (including cover sheet)			
(703) 872-9306	17			
YOUR REFERENCE NO.:	OUR REFERENCE (C/M) NO.:			
09/910,159	05222.00131			

RE:

In re: Appin. Mara Q. Devitt et al.

Appln. No. 09/910,159 Filed: July 20, 2001

For: Rule-Based On-Line Product Selection

## **OFFICIAL FAX**

If you do not receive all page(s) or have any problems receiving this transmission, please call

NAME:	PHONE:
Jasmin Santoyo	312-463-5560

## COMMENTS:

Amendment and Request for Continued Examination

Important/Confidential: This message is intended only for the use of the individual or entity to whom it is addressed. This message contains information from the law firm of Banner & Witcoff, Ltd. which may be privileged, confidential or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, retention, archiving, or copying of the communication is strictly prohibited. If you have received this communication in error, please notify us immediately at our telephone number listed above. We will be happy to arrange for the return of this message to our offices at no cost to you.

CHICAGO

WASHINGTON, D.C.

**BOSTON** 

PORTLAND, OR

PTO S8/21 (02-04)

Approved for use through 07/31/2006. O JB 0851-0031

U.S. Patent and Tradement Office; U.S. L SPARTIMENT OI COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of Information unless it dis lays a valid OMB partic

			Application Number	09/910,159			
TRANSMITTAL FORM (to be used for all correspondence after initial filing)			Filing Date	07/20/2001			
			First Named Inventor	Mara Q. Devil			
			Art Unit	3627			
			Examiner Name	Fischetti, Joseph A.			
Total Number of Pages in T	his Submission	17	Attorney Docket Number	05222.00131			
		ENCLO	SURES (check all that apply)				
Fee Transmittal Form		Drawii		After Allov ance Communication to Group			
Fee Attached	<u> </u>	Licens	sing-related Papers	Appeal Cc mmunication 13 Board of Appeals a d Interference's			
Amendment / Reply		Petitio	n ,	Appeal Communication 10 Group (Appeal Notice, Brief, Rep y Brief)			
		Petitio Applio	n to Convert to a Provisional sation	Proprietar Information			
Affidavits/declarat	tion(s)		r of Attorney, Revocation ge of Correspondence Address	Status Let er			
Extension of Time Re	quest	☐ Termin	nat Disclaimer	Other Enc. sure(s) (please ide tily below):			
Express Abandonmer	·		est for Refund	Facsim e Cover Sheet Reques for Continue I Examin tion			
Information Disclosure	e Statement	CD, Halling of OD(0)					
Certified Copy of Prior Document(s)	rity	Remarks The Commissioner is authorized to cabit or credit any deficiency or overpayment from our Japosit Account No. 19-0733. A duplicate of the fee sheet is a notosed.					
Response to Missing Incomplete Applicatio							
Response to Missing under 37 CFR 1.52 or							
	SIGNATI	URE OF	APPLICANT, ATTORNEY, O	R AGENT			
I ~ I'''	nneth F. Smo		<del></del>				
Individual name Re	g. No. 44,344						
Signature	ennu	1 1	Smole				
Date 03	/30/2005	· 7					
	CE	RTIFICA	TE OF TRANSMISSION/MAIL	LING			
I hereby certify that this co Service with sufficient po- Alexandria. VA 22313-145	stage as first de	ass mail ir	simile transmitted to the USPTO an envelope addressed to: Co	or deposited with the United Slates Postal ornmissioner for Patents, P.O. Box 1450.			
Typed or printed name	1	BLAI	VK				
Signature		100		Date 3/30/05			
process) an application. Confider preparing, and submitting the cor you require to complete this form	ntiality is governed by impleted application for and/or suggestions f P.O. Box 1450, Alexa	35 U.S.C. 12 orm to the US for reducing the Indria, VA 223	12 and 37 CFR 1.14. This collection is es PTQ. Time will vary depending upon the ris burden, should be sent to the Chlef in 113-1450. DO NOT SEND FEES OR COL	efit by the public while light file (and bithe USPTO to timated to 12 minute to complete, including garbering, individual case, Any symments on the amount of time formation Officer, U. Patent and The lament Cifice, MPLETED FORMS " 3 THIS ADDRES S. SENC 10:			

If you need assistance in completing the form, call 1-800-PTO-9199 and solvet option 2.

Name (Print/Type)

Kenneth F. Smolik

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

PTO/SB/17 (12-04v2)

03/30/2005

Approved I in use through C 7/31/2006, OMB 0651-0032 U.S. Patent and Trademark C fice; U.S. DEP/.RTMENT OF COMMERCE

Complet if Known

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unit as it displays a valid OMB control number.

	ANIO	BAITTAI	Appli	cation Number	09/910,159		
FEE TRANSMITTAL for FY 2005			Filing	Filing Date 07/20/2001			
			First	Named Inventor	Mara Q. Devitt		
Applicant claims sma	I entity sta	lus. See 37 CFR 1.2	7 Ехал	niner Name	Fischetti, Josep 1 A.		
			Art U	Infl	3827		*
TOTAL AMOUNT OF PAYMENT (\$) 910			Attor	ney Docket No.	05222.00131		
METHOD OF PAYMEN	T (check a	ill that apply)					<u> </u>
☐ Check ☐ Credit Car	rd 🔲 Mo	ney Order 🔲 None	: Other	(please identif	ý):		· · · · · · · · · · · · · · · · · · ·
Deposit Account Dep	osit Accour	nt Number: 19-0733		Deposit Aco	ount Name: Bar ner	& Witcoff,	LTD.
		osit account, the Direc	tor is hereb	_			
Charge fe	e(s) indicati	ed below		☐ Cha	rge fee(s) indicati d be	dow, excrpt	for the filing fee
	• •	il fee(s) or underpaym	ents of fee(s	s) 🖂 Crex	It any overpaym: nts		
Linder 37	<b>CFR 1.16</b> #	and 1.17		· –	•	<b>5</b>	
WARNING: Information on th Information and authorization			cerd Informa	tion should not i	oe included on this form	L Provide : re	THE PART OF THE PA
FEE CALCULATION							
1. BASIC FILING, SEA	ARCH. AN	D EXAMINATION	FEES				
	FILING	FEES		H FEES	EXAMINATION		
	B /8\	Small Entity	F(e)	Small Enti		all Entit:	Feen Beld (\$)
Application Type	Fee (\$)	Fee(\$)	Fee(\$) 500	<u>Fee(\$)</u> 250		<u>-ee(\$)</u> .00	Fees Pald (\$)
Utility	300 200	150 100	100	250 50	130	65	
Design Plant	200	100	300	150	160	80	
Reissue	300	150	500	250		100	
Provisional	200	100	0	0	0	0	
2. EXCESS CLAIM FE	FS						Small Entity
Fee Description						Fee (\$)	Fee (\$)
Each claim over 20 (in						50	25
Each independent clair		including Reissues)				200	100
Multiple dependent cla		51-1 F/A\		an Bald (A)		360	180
Total Claims							
20 or HP		_ ×		<del></del>		<u>Fea (\$)</u>	Lab Lain (4)
Indep. Claims	-	paid for, if greater than 20 Claims Fee(\$)	_	ee Paid (\$)			
- 3 or HP		X X	· =	ab r did (4)			
		claims paid for, if greater	r than 3.				
3. APPLICATION SIZE	•	•					
If the specification and o	trawings ex	cood 100 sheets of pa	per (exclud	ing electronical	lly filed sequence or c	omputer	
listings under 37	CFR 1.52	(c)), the application si	ze fee due i	s \$250 (\$125 fo	or small entity) to eac	h additio tal	50
sheets or fraction	n thereof. S	ee 35 U.S.C. 41(a)(1)	(G) and 37	CFR 1.16(s).	- 840 44° 5 10 415 5 10 4 5	E /#\	C D-:- /6)
	Extra \$				r fraction thereof	<u>Fee (\$)</u>	Fee Paid (\$)
100	<b>■</b> —	/ 50 =	_ (rouna u	p to a whole r	number) x		=
4. OTHER FEE(S)							Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)  Other (e.g., late filing surcharge): Request for Continued Examination;  790							
. •	_	arge): Kequest for Co	manued Exam	umation;			790 120
1-month extensi	on						<u> </u>
SUBMITTED BY							
Signature	Unn	at 7 sebr	Dest	Registration No.	44,344	Telept me	312.463.5000

This collection of information is required by 37 CFR 1.135. The information is required to obtain or retain a benefit by the public which is to fill (and by the USPI ) to process) an application. Confidentially is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gatherir i, preparing, and a straighting his completed application form to the USPTO. Time will very depending upon the individual case. Any comments on the amount of time you require to complete other formation of the chief information Officer, U.S. Patern and Yrademark Office, U.S. Department of Commerce, P.O. Box 1450, P exandria, VA 223\* 3-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Petents, P.O. Box 1450, Abstanting.

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FT0/SB/17 (12-04v2)
Approved for use through 17/31/2006, OMB 0651-0032
U.S. Patent and Tradernark Miles: U.S. DEF ARTMENT OF COMMERCE

Complete If Known

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays: valid OMB control number.

CEE TO A NOMITTAL		Appl	Application Number 09/910,159					
FEE TRANSMITTAL			Filling	Date	07/20/2001			
		2005		First Named Inventor Mara Q. Devitti				
Applicant claims small	ell entity s	tatus. See 37 CFR 1	.27 Exam	niner Name	Fischetti, Jose h A.			
TOTAL AMOUNT OF PAYMENT (\$) 910		Art	Art Unit 3627					
		(\$) 910	Attor	ney Docket No.	05222.00131			
METHOD OF PAYMEN	VT (check	all that apply)						
☐ Check ☐ Credit C	ard 🔲 M	Ioney Order 🔲 No	ne 🔲 Otha	(please identif	y) :			
☑ Deposit Account De	posit Acco	unt Number: 19-073	3	Deposit Acc	ount Name: Bainer	& Witc off	LTD.	
For the above-lo	dentified de	eposit account, the Dir	ector is hereb	y authorized to:	(check all that a iply)			
Charge f	ee(s) Indic	ated below		☐ Cha	rge fee(s) Indica: ed be	low, except	t for the filing fee	
		nal fee(s) or underpay	ments of fee(s	s) 🔀 Crec	dit any overpaym ants			
Under 3 WARNING: Information on t	7 CFR 1.16		lt <b>card i</b> nformá	tion should not b	e included on this form	. Provide cri	dit card	
Information and euthorizati	on on PTO	2038.						
FEE CALCULATION							· <del></del>	
1. BASIC FILING, SE		ND EXAMINATION 3 FEES		H FEES	EXAMI©ATK	ai eeep		
	LILIN	Small Entity	SEARC	Small Entit		ell Entity		
Application Type	<u>Fea (\$</u>		Fee(\$)	Fee(\$)		ee(\$)	Fees Paid (\$)	
Utility	300	150	500	250		00	· <del></del>	
Design	200	100	100	50		65.		
Plant	200	100	300	150		80		
Reissue Provisional	300 200	150 100	500 0	250 0	600 3	00 0		
2. EXCESS CLAIM F		100	V	U	V	Ū	Small Entity	
Fee Description						Fee (\$)	Fae (\$)	
Each claim over 20 (in						50	25	
Each independent clair		(including Reissues)				200 360	100 180	
Multiple dependent cl Total Claims		Claims Fee(	\$) Fe	e Paid (\$)			Degendent Claims	
-20 or HF		×				Fee (\$)		
HP = highest number o	f total claims	pald for, if greater than 2	20.					
Indep. Claima		Claims Fee(	<u>5)</u> <u>F</u> s	e Paid (\$)				
3 or HP		X nt claims paid for, if great	= _	<del></del>				
3. APPLICATION SIZE	•	пт скатна раки тог, п втем	181 U1811 J.					
If the specification and		exceed 100 shocts of p	oaper (excludi	ing electronical	ly filed sequence or co	mputer		
listings under 3	7 CFR 1.5	2(e)), the application	size fee due i	s \$250 (\$125 fo	r small entity) & reac	h additic na	150	
sheets or fraction Total Sheets	n thereof.	See 35 U.S.C. 41(a)(	l)(G) and 37 i	CFR 1.16(8). ditional 50 or	fraction there of	Fee (\$'	Fee Pald (\$)	
- 100		/ 50 =		p to a whole n		<u>- 444 17,</u>	=	
4. OTHER FEE(S)			、		(		Fees Pald (\$)	
Non-English Specification, \$130 fee (no small entity discount)								
Other (e.g., late filing surcharge): Request for Continued Examination; 790								
1-month extens	ion						120	
SUBMITTED BY								
Signature	tens	d 7 st	nden	Registration No. (Allomey/Agent)	44,344	Telept one	312.463.5000	
Name (Print/Type) Ke	nneth F.	Smolik				Date	(13/30/2005	
المحمد ما محاله محالت ما المحالة المحالة المحالة		1 198 The information in a	a deed to obtain or	minin a baneli bu th	a nutritic until chi la to A. /and h	with LICO' O M		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to fit (and by the USP\* O to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathers 3, preparing, and i ubmitting the completed epplication form to the USPTO. Time will very depending upon the individual case. Any comments on the amount of time you require to come lett his form and/ v suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trodemark Office, U.S. Department of Commerce, P.O. Box 1450, J examples VA 223 3-1450. CO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. BEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in complating this form, call 1-800-PTO-8189 (1-800-756-9199) and select aption 2.

## RECEIVED **CENTRAL FAX CENTER**

BANNER & WITCOFF

**2** 005/017

MAR 3 0 2005

PTO/SE '30 (08-03)

Approved for use through 7/31/2008. OMB 0651-0031
U.S. Patent and Teademark Office: U.S. DEF \RTMENT OF C 3MMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays 3 valid OMB corn of number. Request Application Number 09/8 10,159 For 07/2 3/2001 Filing Date Continued Examination (RCE) Mar. Q. Devitt First Named Inventor **Transmittal** Address to: 382 Art Unit Mail Stop RCE Commissioner for Patents Fischetti, Joseph / .. Exeminer Name P.O. Box 1450 Alexandria, VA 22313-1450 Attorney Docket Number 052: 2.00131

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or p ant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the US PTO) on page 2.

	Submission	required under 37 C.F.R. 1.114	H tha	DOE	ip nmaa	e any nominale file	unentered ar rendments				
1.	and amendm otherwise. If	ents enclosed with the RCE will be entered i applicant does not wish to have any previous such amendment(s).	n the	order	r In which	they were filed unle	s applicant ir structs				
	a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.										
	=	i. Consider the arguments in the Appeal Brief or Repty Brief previously filed on									
	ii. 🔲 (	Other									
		Amendment/Reply	M.		Informa	tion Disclosure State	nent (IDS)				
	a 🗖 /	Affidavit(s)/Declaration(s)	lv.		Other _	<del></del>					
2.	Miscellan	ious									
	a. Susp	ension of action on the above-identified applied ofmonths. (Period of suspension are	icatio il not	n is n excee	equested d 3 month:	under 37 C.F.R. 1.* e; Fee under 37 C.F.R.	73(c) for 1.17(l) required				
	b. 🔲 Other										
3.	Fees Th	e RCE fee under 37 C.F.R. 1.17(e) is require	ed by	37 C.	.F.R. 1.1	14 when the RCE is	led.				
	_	Director is hereby authorized to charge the	follo	wing !	fees, or c	zedit any overpayme	ents, to				
		osit Account No. <u>19-0733</u> CE fee required under 37 C.F.R. 1.17(c	.,								
		cte reguired under 37 C.F.R. 1.17(extension of time fee (37 C.F.R. 1.136 a)		17)			•				
		ther		,							
		ck in the amount of \$ enclosed									
	_	ment by credit card (Form PTO-2038 enclosed)									
	WA	RNING: Information on this form may bed	ome	publ	ic. Cradi	t card information :	hould not				
		included on this form. Provide credit car					1U-203B.				
		SIGNATURE OF APPLICANT, A	וסדד	RNEY	, OR AG	ENT REQUIRED					
Name	(Print /Type)	Kenneth F. Smolik		Reg	istration	No. (Attorney/Agent	44,344				
Signa	ture	Kennet & Smith	k.	Dat	e 	03/30/2005	· <del></del>				
		CERTIFICATE OF MAI	LING	OR 1	RANSM	IISSION					
envelo	pe addressed to:	correspondence is being deposited with the United Mail Stop RCE, Commissioner for Patents, P. O. Edition on the date shown below:	d State Box 14	95 Pos 450, Al	ital Service lexandria,	e with sufficient postage VA 22313-1450, or fac	as first class m ill in an imile transmitte i to the U.S.				
Name	(Print /Type)	R. FLANK									
Şigna	ture	10000 -		Dat	I	3/90/05					
his coil	ection of Informa	tion is required by 39 CFR 1,114. The Information	is req	uired t	o obtain o	r retain a benefit by the	public which is o file (and by the				

Interconscion or intormation is required by SPCPK 1.114. The information is required to obtain of retain 6 better by the Public Which is 5 hille (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary devending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burd in, should be cent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, A 22313-1450 DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Elix 1450, Alexandria, VA 22313-

If you need assistance in completing the form, call 1-800-PTQ-9189 and select option  $\stackrel{!}{\sim}$